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GENEVA CALL NEWSLETTER SPECIAL SEVENTH M.S.P. EDITION



GENEVA CALL
APPEL DE GENÈVE
LLAMAMIENTO DE GINEBRA

Seventh Meeting of the States Parties

Landmine Ban Before Politics: GC Withdraws Request for Observer Status

The objectives mentioned in the statutes of Geneva Call are very clear and simple: "to engage armed non-State actors to ban anti-personnel landmines." The principles guiding our work are also very simple and clear. They are: transparency, information, and request of authorization to the government in case of travel in the concerned country; Geneva Call has always respected these principles.

Since the work of Geneva Call has been highlighted in nearly all the final declarations and texts adopted by the different States Parties meeting since Managua in 2001, and as the rules of the Ottawa process allow it, Geneva Call took the decision to apply for observer status at this States Parties Meeting. The coordinating committee approved the request in August 2006.

Despite this, Geneva Call decided to withdraw its request. Out of respect for the several governments who have shown strong support for our demand - we take this opportunity to thank them, as well as the European Union - we have a duty to explain our withdrawal. It is not because we thought the application was in error or because we changed our mind. Rather, it was withdrawn because we learned that some opposition and tension would be brought before this assembly, which has the responsibility to take the final decision on the recommendation of the coordinating committee.

The issue of a debate did not frighten us; we were confident because we had plenty of support. However, we thought that such a debate would take time, create tensions and damage the atmosphere of the conference before us. In addition, we decided to respect the enormous work done by the Presidency to prepare this meeting, to respect the delegates who have traveled far in order to engage in real work and not for political challenges outside

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the Convention, and finally and especially to respect the cause of banning landmines and to listen to the needs of victims.

These are the reasons that led Geneva Call to withdraw its request. The interests of the conference must be taken into consideration before our own. The Ottawa process is above all a humanitarian process, as is the engagement of armed non-State actors. This has to be maintained and political considerations must stay outside the walls.



Photo: Bus Publicity for the Seventh MSP

Geneva Call Events In and Around the Seventh MSP

The 7MSP is an opportunity to raise awareness of the different aspects of the landmine problem. This year, the slogan for the conference is: "clearing mines – assisting victims".

Geneva Call joined forces with the Swiss Campaign to Ban Landmines and the Swiss Foundation for Landmine Victims Aid to launch a series of events drawing attention to the plight of mine victims. All of this follows a publicity campaign on Geneva's busses and in Swiss cinemas nationwide, focusing public interest on the issue.

Fresh from his participation in the IPC Cycling World Championships, Armin Köhli – who also rode from Geneva to Zagreb on the occasion of the 6MSP in 2005 – began his week-long cycling tour of Switzerland at the Opening Ceremony on Monday morning. Riding to raise awareness of mine victims, Armin's journey has taken him through Neuchatel, Zurich, Basel and Bern. His return to Geneva will coincide with the inauguration, on the evening of 22 September, of a giant graffiti mural currently being prepared on a wall in the city centre. Three artists, specifically commissioned for the event, are creating this piece as a lasting tribute to those killed or mutilated by landmines.

Geneva Call thanks the Swiss Federal Department of Foreign Affairs for generously supporting the awareness campaign.

Please find your invitation to this closing ceremony at the end of the newsletter. Other events being held around the 7MSP include an exhibition of photographs along the Quai Wilson by Handicap International.

Other News

Three New Signatories to the Deed of Commitment

Geneva Call works to engage non-State actors (NSAs) to adhere to and respect the ban on anti-personnel landmines through a neutral, impartial and independent approach. The Deed of Commitment is the main instrument through which this is achieved: NSAs sign the Deed of Commitment, committing their forces to a total prohibition of anti-personnel mines and other victim-activated explosive devices, as well as to cooperate in, or to facilitate mine action programmes. The signing ceremonies always occur alongside representatives of the Government of the Republic and Canton of Geneva in the Alabama Room of the city hall in Geneva - a location itself synonymous with humanitarian advances, not least the First Geneva Convention, which was also signed within its walls.

Geneva Call is delighted to announce that three new groups came to Geneva over the summer to sign the Deed of Commitment, bringing the total number of signatory NSAs to 31. The Kurdistan People's Congress (Kongra Gel)/People's Defence Forces (HPG), also known as the Kurdistan Workers' Party (PKK), added its name on 18 July, and was followed shortly afterwards by the Chin National Front (CNF) of Burma and its military wing, the Chin National Army (CNA), on 31 July, and the Kuki National Organisation (KNO) and its various armed wings, on 9 August.

According to the rules of Geneva Call, only anti-personnel mines and the humanitarian aspect were discussed at the signings; respecting these rules, no NSA made any public political statement whatsoever in the course of the different ceremonies or during their stay in Geneva.

Significantly, two of the new signatory NSAs have undertaken to ban anti-personnel mines whilst still involved in conflict. In doing so, each has recognised that these weapons cause human suffering that is disproportionate to the military advantages that they bring in times of war. Indeed, Chairman Thomas Thang Nou. Col. Ral Hnin, CNA Chief of Staff explained that, even though his group is still fighting, it realises that there are other ways in which it can protect its camps and defend its people "without resorting to using these indiscriminate weapons."

Concrete Results: Polisario Front Destroys Landmine Stocks

Geneva Call's work does not end with a group's signature of the Deed of Commitment. Indeed, the ultimate indicator of the organisation's success is the respect and the sustained humanitarian mine action that an NSA undertakes after they have signed.

With this in mind, the Polisario Front began the destruction of its stockpile of anti-personnel mines in compliance with the Deed of Commitment. The event took place in Tifariti, Western Sahara, the day after the celebrations marking the 30th anniversary of the Saharawi Arab Democratic Republic (as recognized by the African Union and many States) in February of this year.



Before: Stocks Awaiting Destruction

Polisario top officials attended the destruction ceremony, with the Minister of Defence underlining that "this initiative reflects the choice of the Saharawi people for a peaceful settlement of the conflict". He added that the Polisario Front will complete the destruction of its remaining stockpile and called on Morocco to reciprocate.

A number of foreign governments and international organisations witnessed the event; among them representatives from MINURSO, UNMAS, Landmine Monitor, the Saharawi Campaign to Ban Landmines, Landmine Action UK and Geneva Call. In total, more than one thousand people attended. After the speeches, engineers from the Ministry of Defence proceeded to destroy 3'321 anti-personnel mines.



After: Stocks Successfully Destroyed

The Perils of Waiting: The Case of Landmine Stocks in Somalia

The latest developments in Somalia augur important challenges for Geneva Call. Militias loyal to the Islamic Courts Union (ICU) have defeated faction leaders to take control of Mogadishu and several southern and central regions, including the towns of Jowhar and Beledweyne.

One of these leaders, Hussein Aideed, Chairman of the United Somali Congress/Somali National Alliance (USC/ SNA) and now Transitional Government Minister of Interior in charge of mine action, is a signatory of Geneva Call's Deed of Commitment. As such, he has committed his group to a total ban on landmine use.

As noted above, one of the requirements under the Deed of Commitment is to destroy landmine stocks. Lacking the means or expertise to do this safely and efficiently, Aideed repeatedly called for international assistance. Last year, in October 2005, he granted Geneva Call unprecedented access to the stocks under his control in Mogadishu (approximately 3500 anti-personnel and anti-tank mines).

A few months later - the lack of funding having slowed down the process - Geneva Call was preparing to return to the capital alongside specialists from the Danish Demining Group, when heavy fighting flared between Islamic forces and the militias of local warlords. The consequent security concerns and travel restrictions forced the cancellation of the mission.



Photo: Uncertain Future for these Landmine Stocks

Subsequently, the ICU seized control of Mogadishu and captured the arms stocks of the defeated militias, including the USC/ SNA mines. Although discussions are now underway with the ICU to ensure that these mines do get destroyed, its capture of the stockpile highlights the importance of immediate action and support for mine action from States Parties when it is possible or needed. Pursuant to action 46 of the Nairobi Action Plan, it is crucial that States Parties support mine action efforts such as stockpile destruction of mines belonging to NSAs, especially those which have committed to ban anti-personnel mines. Not to do so is to risk otherwise decommissioned landmines returning to war in the hands of armed groups that have not yet signed the Deed of Commitment.

The Impact of Landmines on Indigenous People

In countries where there is an internal armed conflict, the regions in which indigenous peoples live are often militarised and sometimes mined. The general dangers posed to civilians by victim-activated anti-personnel landmines are well known, whereas the specific impact that mines have on indigenous people is under-researched.

The 24th session of the Working Group on Indigenous Populations (WGIP) took place from 31 July to 4 August in the Palais des Nations in Geneva. The main theme was "Utilization of indigenous peoples' lands by non-indigenous authorities, groups or individuals for military purposes". In the course of the week, Geneva Call made both a statement to the WGIP, and held a roundtable exploring the impact of landmines on indigenous people.

The statement elaborated Geneva Call's concern with this issue: several signatories of the Deed of Commitment represent indigenous people and ethnic minorities from landmine-affected communities; an understanding of the specific impact that this may have on such NSAs could be important to helping them to meet their Deed of Commitment obligations. Preliminary mapping by Geneva Call has found that mines may contaminate indigenous peoples' land in 22 countries in Asia, Africa, the Middle East and Latin America. Geneva Call voiced its deep concern at the neglect of this issue by the national and international communities, and suggested that the WGIP make a comprehensive study of the topic and ensure that the report will be freely available to all as an official UN document.

The roundtable further elaborated on the subject. A high and expert attendance produced an interesting workshop, yielding several recommendations for the next step in acting on this matter, including the creation of a discussion group on the impact of landmines on indigenous people, deeper cooperation between Geneva Call and the WGIP, and the creation of an enlarged Geneva Call network with indigenous peoples' groups and representatives.



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The Need to Engage NSAs

To help an NSA meet its humanitarian commitments, Geneva Call looks to the governments of the countries in which the NSAs are based, to facilitate or at least not prevent its work on the ground. Indeed, according to Action #46 of the Nairobi Action Plan, States in a position to do so will:

Continue to support, as appropriate, mine action to assist affected populations in areas under the control of armed nonstate actors, particularly in areas under the control of actors which have agreed to abide by the Convention's norms.

One interpretation of this is that, although States bear a direct responsibility to implement their MBT obligations, cases of *force majeure* may arise in which it is prevented from doing so directly. An example would be if an NSA had control over territory that is under the jurisdiction of the State, thereby hindering the government from operating effectively in the area. In these cases, it is simply not possible for the government to conduct mine activities and so to respect its MBT deadlines. Even so however, the State should make good faith efforts to uphold the spirit of the MBT. This means not deliberately preventing the implementation of the treaty and, where possible, supporting third party or NSA efforts to conduct mine action operations.

This is why it is important to increase the engagement of NSAs in a landmine ban and their involvement in other mine activities. These activities will help the States Parties concerned by armed groups, to respect their obligations under the Ottawa Treaty. Engaging NSAs is a complementary process that contributes to the universalization and the implementation of the Mine Ban Treaty.

Different actors carry out such engagement work, as well as the monitoring that must accompany it: Geneva Call is one of them, but there are also national campaigns of the ICBL, other NGOs, some UN agencies in the field, the ICRC and others. These actors need the support of the government concerned, as well as of third party governments. In Action 46 of the Nairobi Action Plan, States have recognized this need for support by third parties; we look forward to ways of implementing this concretely.



Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction - **Seventh Meeting of the States Parties**

Closing Ceremony

"Graffiti Against Landmines"

**Inauguration of a Giant Mural
and
Arrival of Double-Amputee Cyclist Armin Köhli
after his "Tour de Suisse Against Landmines"**

Friday 22 September, 18:00, Rue des Savoises, Geneva



Graffiti-mural by artists Serval, Jazi and Jag

The creation of the graffiti can be followed from 18 to 22 September

Busses and bicycles will be provided for transportation from the UN premises to the rue des Savoises (leaving in the company of Armin Köhli from the UN at 17:15)

The inauguration will be followed by a buffet and drinks and the screening of short movies on the subject of mine victims at the Maison des Associations

Organisation : Swiss Campaign to Ban Landmines, Geneva Call,
Swiss Foundation for Landmine Victims' Aid - With the support of the Swiss Confederation

